

REMARKS

Reconsideration of the present application, as amended, is respectfully requested.

By means of the present amendments, the specification has been amended for conformance with the drawings.

In the Office Action, claims 12-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 6,625,223 (Wimmer) in view of U.S. 6,754,280 (Nguyen). In response, claims 12 and 16-19 have been amended. It is respectfully submitted that claims 12-22 are patentable over Wimmer and Nguyen for at least the following reasons.

Wimmer is directed to a method and apparatus for encoding, transmitting and decoding digital data. As recited on column 4, lines 44-55, when a segment length cannot be directly determined, it is calculated from other information. "It is thus possible to correct the segment length field MPL on the basis of the calculation. Hence the probability of a correct decoding of the check information Ki increases." (Column 4, lines 52-55) Thus, Wimmer is concerned with correctly decoding information when a segment length cannot be directly determined in the case "[w]hen

the check information Ki in the data segment DS1 is not decoded."

(Column 4, lines 43-44)

Nguyen is directed to a method for handling missing or untimely synchronization signals using an estimation of the missing synchronization signals. The estimated synchronization signal is corrected upon receipt of a subsequent synchronization signal. Further, phase error is ignored if it is determined to be a spike.

It is respectfully submitted that Wimmer, Nguyen, and combination thereof, do not teach or suggest validating the transmitted series of information signals in a first mode and rejecting the transmitted series of information signals in a second mode even if there is an error indication, as recited in independent claim 12, and similarly recited in independent claims 17-19.

Accordingly, it is respectfully submitted that independent claims 12 and 17-19 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 13-18 and 20-22 should also be allowed at least based on their dependence from independent claims 12 and 19.

In addition, Applicant denies any statement, position or

averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to applicant's representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.



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Serial No. 09/933,552  
Amendment in Reply to Office Action of July 14, 2005

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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